
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Leda Dunn Wettre, U.S.M.J.
:
v. : Mag. No. 23-13147
:
RUSSELL LYNN DAVIS, JR. : **CRIMINAL COMPLAINT**

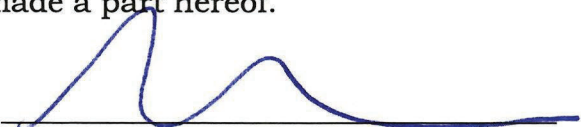
I, Monica Cueto, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A

I further state that I am a Special Agent with the Federal Bureau of Investigation, and that this complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached page and made a part hereof.



Monica Cueto, Special Agent
Federal Bureau of Investigation

Special Agent Cueto attested to this Complaint
by telephone pursuant to F.R.C.P. 4.1(b)(2)(A).

8/1/2023

Date

in New Jersey
State

Honorable Leda Dunn Wettre
United States Magistrate Judge

Name and Title of Judicial Officer

Hon. Leda Dunn Wettre

Signature of Judicial Officer

ATTACHMENT A

COUNT ONE
(Receipt of Child Pornography)

From in or around June 7, 2021 through on or about August 31, 2021, in the District of New Jersey, and elsewhere, the defendant,

RUSSELL LYNN DAVIS, JR.,

did knowingly receive child pornography, as defined in Title 18, United States Code, Section 2256(8), that had been mailed, and using any means and facility of interstate and foreign commerce, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer.

In violation of Title 18, United States Code, Section 2252A(a)(2)(A) and Section 2.

ATTACHMENT B

I, Monica Cueto, am a Special Agent with the Federal Bureau of Investigation ("FBI"). I am fully familiar with the facts set forth herein based on my own investigation, my discussions with other law enforcement officers, and my review of reports, documents, and other items of evidence. Where statements of others are related herein, they are related in substance and in part. Because this Affidavit is being submitted for the sole purpose of establishing probable cause to support the issuance of a complaint, I have not set forth each and every fact that I know concerning this investigation. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

1. In and around August 2021, the FBI commenced an investigation to identify subjects involved in the online sexual exploitation of minors. As part of their investigation, an undercover employee with the FBI (the "UCE") assumed an online profile in an instant messaging application (the "Messaging Application"). Through the course of their investigation, the UCE communicated with a female user of the Messaging Application (the "Female User") who provided the UCE with videos and images of herself and a prepubescent minor ("Minor Victim-1") engaged in sexual acts constituting child pornography. The investigation revealed that the Female User distributed the videos of child sexual exploitation to the UCE via her account on the Messaging Application (the "Female User Account").

2. As part of the investigation, law enforcement obtained search warrants authorizing the search of the Female User's cellular device and the Female User Account for, among other things, evidence of sexual exploitation of minors.¹

3. Evidence uncovered from these searches revealed that, from at least on or about June 7, 2021, to on or about August 31, 2021, the Female User used the Female User Account to communicate with another profile on the Messaging Application (the "Target Account"). During these communications, the Female User Account distributed to the Target Account at least fourteen videos of the Female User engaging in sexual acts with Minor Victim-1, constituting child pornography.

¹ On August 31, 2021, the Female User was charged by federal criminal complaint in the District of New Jersey with Production of Child Pornography, in violation of 18 U.S.C. § 2251(a) and (e) and 18 U.S.C. § 2; Distribution of Child Pornography, in violation of 18 U.S.C. § 2252A(a)(2); and Advertisement of Child Pornography, in violation of 18 U.S.C. § 2251(d)(1)(A). These charges are pending.

4. Descriptions of four of the videos sent by the Female User Account to the Target Account (collectively, the "Videos") are as follows:

- a. Video-1 (sent to the Target Account on or about June 27, 2021)
Video-1 is an 18-second video in which the Female User performs oral sex on Minor Victim-1 while Minor Victim-1 appears to be asleep.
- b. Video-2 (sent to the Target Account on or about August 16, 2021)
Video-2 is a 1 minute, 50-second video which shows the Female User masturbating as Minor Victim-1 stands naked in front of her. The Female User sits Minor Victim-1 on her lap and touches Minor Victim-1's penis. Minor Victim-1 pushes the Female User's hand off his penis and covers his penis with his left hand. The Female User moves Minor Victim-1's hand away and continues to touch his penis.
- c. Video-3 (sent to the Target Account on or about August 16, 2021)
Video-3 is a 22-second video which shows Minor Victim-1 sitting on the Female User's lap. Both Minor Victim-1 and the Female User are naked, and the Female User strokes Minor Victim-1's penis.
- d. Video-4 (sent to the Target Account on or about August 29, 2021)
On or about August 29, 2021, the Target Account sent a message to Female User, stating, "I want you to show off for me." A few minutes later, the Female User sent the Target Account several images including Video-4. Video-4 is a 29-second video in which the Female User is naked from the waist-down. Minor Victim-1 slaps Female User's bare backside. The Target Account responded, "How did that spanking feel?"

5. A review of messages between the Female User Account and the Target Account revealed that, on or about August 16, 2021, the Target Account sent a video to the Female User Account. The video shows a close-up of an adult male face whom law enforcement has identified as Russell Lynn Davis, Jr. ("DAVIS"). DAVIS speaks to the camera and states, "Suck [Minor Victim-1's] cock right now." Almost immediately after DAVIS sent this video to the Female User directing her to perform oral sex on Minor Victim-1, the Female User responded by sending multiple videos, including Video-2 and Video-3, to the Target Account.

6. Records from the Messaging Application revealed that the Target Account was registered to DAVIS beginning on or about March 14, 2019. The date of birth associated with the Target Account on the Messaging Application is the same date that is listed as DAVIS's birthday on his driver license.

7. Records from the Messaging Application further indicate that, at the times that the Videos were sent by the Female User Account to the Target Account, the Target Account was accessed via an IP address that is assigned to

a consumer internet account subscribed to in DAVIS's name at DAVIS's residential address in Keller, Texas (the "Davis Residence IP Address"),² as well as by IP addresses associated with the service provider for DAVIS's mobile device. Records further indicate that at least two videos which depict the Female User engaging in sexual acts with Minor Victim-1, including Video-1 described above, were accessed by the Target Account via the Davis Residence IP Address.

8. At all times relevant to this Complaint, the Female User and Minor Victim-1 were residents of New Jersey.

² This address is listed as DAVIS's residence according to records maintained by the Texas Department of Motor Vehicles.